

REMARKS

Applicants submit this response to the Office Action dated April 27, 2006. Claims 1-6, 8-11, and 17-19 are pending. Claims 7, 12-16, and 20-23 are withdrawn pursuant to a restriction requirement. Claims 1, 18 and 19 are amended as discussed below, and no new matter is added.

Claims 18 and 19 are rejected under 35 U.S.C. § 112, second paragraph in view of the claim language “A sequence encoding an antisense oligonucleotide” and in view of the sequence length. Applicants submit that claims 18 and 19 as amended are not subject to this ground of rejection.

Claims 1-4, 8, 10 and 17 are rejected under 35 U.S.C. § 102(e) over McKay et al., U.S. Patent No. 6,455,307. According to the Examiner, McKay discloses an oligonucleotide, SEQ ID NO:93, that corresponds to residues 3435-3452 of applicants' SEQ ID NO:1, including disclosure in a composition comprising pharmaceutically acceptable carriers.

Claim 1 as amended recites that the inhibitor antisense or ribozyme specifically hybridizes to a polynucleotide encoding Sos1. This is supported in the specification, for example at page 9, lines 1-4, which supports “specific hybridization” of the oligonucleotides to Sos1 DNA or RNA. Specific hybridization would exclude SEQ ID NO:93 of McKay, which would also hybridize with casein kinase 2-alpha. Support is also found at page 46, lines 9-11 (“specificity of binding”, a length “unique among human genes”).

Claims 1-5, 8, 10, 11, 18 and 19 are rejected under 35 U.S.C. § 102(b) over Schweighoffer, U.S. Patent No. 5,656,595. Schweighoffer allegedly discloses Sos1 inhibitors of SEQ ID NO:5, including antisense molecules for therapeutic purposes.

Schweighoffer fails to disclose any biologically active oligonucleotides of SEQ ID NO:5. Although the reference generally mentions antisense, it fails to show inhibition using an antisense molecule, and it also fails to identify any antisense molecules capable of specifically hybridizing to Sos1 DNA as recited in claim 1.

Claims 6, 9 and 17 are rejected under 35 U.S.C. § 103 over Schweighoffer et al., with combination with McKay to remedy the deficiency in not disclosing antisense

oligonucleotides that are 8 to 35 nucleotides in length. As discussed above, McKay fails to disclose an oligonucleotide capable of specifically hybridizing with Sos1 polynucleotide, and Schweighoffer fails to remedy that deficiency.

If fees are believed necessary, the Commissioner is authorized to charge any required fee, deficiency or credit any overpayment to Deposit Account No. 04-0258. A duplicate copy of this document is enclosed.

All of the claims remaining in the application are now believed to be allowable. Favorable consideration and a Notice of Allowance are earnestly solicited.

If questions remain regarding this application, the Examiner is invited to contact the undersigned at (206) 628-7650.

Respectfully submitted,
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